IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 17564 of 2007(N)

PETITIONER:

V.N.VIJAYAN, AGED 31,
S/O.LATE NARAYANAN, VATTACHIRAYIL HOUSE,
CHANTHIROOR P.O., DO.KARA, AROOR VILLAGE,
AROOR PANCHAYATH, WARD IX, CHERTHALA TALUK,
ALLEPPEY DISTRICT.

BY ADV. SMT.P.V.KOCHUTHRESIA

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
AROOR MUKKAM POLICE STATION, AROOR MUKKAM,
ALLEPEY DISTRICT.

2. HARIDASAN, CHIRAYIL HOUSE, WARD IX,
CHANTHIROOR P.O., DO. KARA, AROOR PANCHAYATH,
AROOR VILLAGE, CHERTHALA TALUK, ALLEPPEY DIST.

3. SMITHA, D/O.DO. HARIDASAN,
DO.HOUSE, DO. KARA, DO. DO.

4. A.M.MAJEETH, AROOR MUKKAM KARA,
AROOR VILLAGE, WARD IV, AROOR PANCHAYATH,
CHERTHALA TALUK, ALLEPPEY DISTRICT.

GOVERNMENT PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO. 17564 OF 2007

Dated this the 25th day of June, 2007

JUDGMENT

Raman, J.

This Writ Petition is filed alleging police harassment meted out to the petitioner and his mother. It is also alleged that the third respondent used to borrow amount from his mother and amounts are due from her. When asked to return the amounts, she called the petitioner to her house where amount is kept and on the way home, just two houses before her house, she shouted and respondents 2 and 3 gave a false complaint before the first respondent alleging that on 20.5.2007 her gold chain weighing three-and-a-half sovereign has been snatched away by the petitioner. The petitioner was subsequently called upon by the Assistant Sub Inspector on 23.5.2007. Later they agreed to settle the issue on payment of Rs.15,000/- and insisting for such payment the petitioner is being harassed.

2. We asked the learned Government Pleader to get instruction in the matter. A detailed statement is filed by the first respondent. It is submitted that a complaint was received from Smitha alleging that

one Vijayan caught hold on the neck and hair of the defacto complainant while she was returning from Tharamel Temple near her house during night and there was a scuffle between them and as a result, a gold chain of about 3.5 sovereign were lost. Accordingly, the petition was registered in the Direct Petition Register of Aroor Police Station and to conduct further enquiry both the defacto complainant and the petitioner were summoned to the Police Station and accordingly they informed that they settled the matter. In such circumstances, no crime was registered. It is also submitted that a written instrument was given by the defacto complainant requesting not to proceed with the complaint. As such there is no pending complaint before the police. The police is not causing any harassment as alleged. In such circumstances, we do not think it necessary to issue notice to the defacto complainant as we are not entering any finding on the merits of the contention raised between the parties. In the absence of any other complaint received, it is unnecessary to proceed further.

Recording the above submission, the Writ Petition is closed.

P.R.RAMAN, JUDGE

K.HEMA, JUDGE

vgs.